

Narrative Nutrient Standards Transition Listening Session 2 – September 23, 2021

Summary of Themes, Questions, and Comments

Themes	Questions	Comments
Strength / Protectiveness of Narrative Standards	<ul style="list-style-type: none"> • Climate change is already causing decreased precipitation and snowpack, resulting in reduced flows in streams and rivers receiving nutrients from permitted discharges and a diminished capacity to dilute nutrient concentrations. In addition, population increases are adding to nutrient loading. Therefore, aren't increasingly stringent requirements for nutrient discharges necessary just to maintain current conditions going forward, let alone to reduce nutrient pollution and reverse conditions that are already leading to harmful algal blooms? How will reverting to a narrative nutrient standard, contrary to what EPA has been working towards for the past 20 years, help Montana comply with the federal Clean Water Act mandate to protect and maintain water quality? • What is the possible rationale for change in nutrient pollution limits from a numeric to narrative approach? How is this a better scientific approach? 	
Groundwater Discharges	<ul style="list-style-type: none"> • Will DEQ develop quantifiable guidance as to when a groundwater discharge will be deemed "functionally equivalent" to a surface water discharge (i.e., time/distance/dilution)? The Maui Co. Supreme Court decision left this to future lower courts, but groundwater dischargers can't plan around a future lower court decision. 	
Monitoring	<ul style="list-style-type: none"> • Is the instrumentation for measuring dissolved oxygen delta expensive? • Who is going to be doing the monitoring and how will it be paid for? How much does it cost? 	
Draft Rule Package	<ul style="list-style-type: none"> • When will the draft rules be presented to the Nutrient Work Group? • My understanding is that the draft rules/guidance/circular will go to the NWG 10/18 and then DEQ will present them in front of WPCAC 11/19 - what does this process look like between the release of the draft rules and going before WPCAC? How will stakeholder concerns be addressed while still in this informal development part of the process? 	<ul style="list-style-type: none"> • This seems like a tall order to review in this timeframe and have meaningful comments • Those of us who have attended every work group meeting, still feel like we need more time with the written document.

Themes	Questions	Comments
	<ul style="list-style-type: none"><li data-bbox="384 142 1178 342">• I agree that components of the draft rule have been presented throughout the previous months. I do hope there is some appreciation that concepts and presentation slides are very different than seeing actuals words on paper in the draft rule. is it possible to see the words on paper in sections as they are drafted?	